

THE EVENING CRITIC.
ESTABLISHED AUGUST, 1868.LYING IN STATE
In the Magnificent Catafalque in

The second edition of Saturday's Critic announced the arrival of the funeral train at Cleveland.

Arrangements had all been completed for the reception of the remains at the depot for an hour before the train arrived, and the casket was immediately placed in a large hearse, which was massively draped in mourning. It was drawn by four jet black horses, with black broadcloth neck and body blankets, trimmed with deep, silver fringe. Each horse was by a colored groom. The first to alight from the train were General Sherman and staff. They formed parallel lines along the platform, by which the immediate members of the family of the late President walked, two by two, to the casket, which were in waiting for them. Mrs. Garfield, her son Harry and her daughter Mollie first entered a carriage. As Mrs. Garfield passed down the platform leaning on the arm of her son and accompanied by Secretary Blaine, every eye was upon her. She was closely veiled, but her face could be easily seen. Her expression was somewhat careworn, but firm, and she exhibited remarkable fortitude as she passed through the throngs of people about the depot.

At the Depot.
As soon as the remains had been deposited in the hearse the church bells commenced tolling, and continued until the procession reached the public square. The escort from the depot to the pavilion in the square consisted of the Oriental Knights Templar of Cleveland, 150 strong; the Holy Rood Commandery of Cleveland, 55 strong; and the Columbia Knights Templar of Washington, about 100 strong. The dead President was a member of the latter commandery. Besides these organizations there were the Cleveland City Troop and several others. Four hundred members of the State militia were in attendance in the neighborhood of the depot, acting principally as guards. The crowd was very large and extended for two or three blocks in either direction from the station. Perfect order prevailed, however, every one appearing to realize the solemnity of the occasion.

Floral Contributions.
The car in which the casket was brought was filled with flowers, which almost hid the coffin from sight. The coffin was wrapped in a large sheet and in simple folds of fine crepe. Upon it were a few white flowers and some large green leaves. It was borne from the train by United States artillery men, who wore white helmets, and who, with drawn swords, took up their positions beside the hearse. As soon as the casket had been placed in the hearse the beautiful black horses drew it slowly down the avenue toward the file of soldiers and Knights Templar, who were drawn up on the west side and faced east with rifles reverently bowed. Slowly the procession took up its march down the avenue.

As the column, headed by three platoons of police, started from the Euclid avenue station, St. Paul, Cleveland, and other cities following. Other churches along the line following and added to the solemnity of the march.

The Funeral Cortège.
The immediate members of the family took the first carriage and were followed by the members of the Cabinet. Ex-President Hayes occupied a carriage with Secretary Windom, with whom he walked from the cars arm-in-arm. Colonels Rockwell and Swain—the old friends of the deceased President, and who were associated with him throughout his illness, also occupied one carriage by themselves. Dr. S. B. Boynton, the family physician, accompanied some of the ladies. Mrs. Garfield did not go to the public square, but was driven to the residence of Mr. Mason, whose guest she will be while in the city. Col. A. F. Rockwell, Judge Advocate-General Swain, C. O. Rockwell, Col. Corbin, Private Secretary Brown, ex-Clerk Warren S. Young, and Mr. Judd, the telegraph operator of the Executive Mansion; Chief Clerk Brown, of the State Department, and Mr. Sweet, private secretary to Secretary Lincoln, occupied carriages immediately after the remains, as did the members of the family and seeing that the carriages were started without delay. Dr. Power, pastor of the Christian Church of Washington, accompanied the remains, as did a delegation from Ohio. The time occupied in starting the procession was nearly an hour. The Congressional train arrived about fifteen minutes after the funeral train, and the joint committee of the House and Senate were promptly furnished with carriages and driven with the procession to the public square.

Shortly after the remains were placed on the bier on the catafalque Gov. Foster announced, at the request of Mrs. Garfield, that the coffin would not be opened.

Description of the Catafalque.
The catafalque upon which the casket rests is five and a-half feet high, covered with black velvet, and handsomely festooned. A long carpeted walk ascends to the floor from the public square. The arches are ornamented by shields of beautiful design and exquisitely draped. Over these are suspended unfurled flags. The centers of the arches bear similar shields. On the angles of the roof, and on the angles of the base are elevated platforms, to be occupied by uniformed guards. Each platform was provided with a suitable piece of field artillery. The structure is appropriately decorated with flags and flowers, and the whole is a magnificent piece of work, both in design and execution. At the east and west entrances to Monumental Park are heavy Gothic arches, with drive-ways and openings for foot passengers on each side. They are situated at a sufficient distance from the catafalque to appear to be a part of it. The eastern one is covered with grape, with white and black trimmings running down each column, and the top bordered with white and black. The western gateway is similar in construction, and seems fairly to close up Superior street. On the extreme outside pillars are the names of the States in black letters. The north and south approaches are in reality gateways, being built with balustrades draped in white, with one large central arch, and heavy posts on either side. Surmounting all appear large golden eagles and other devices. The catafalque, however, is the great temporary monument of attraction. Standing with its four open arches, and surrounded by its massive golden ball, its combined grandeur requires a closer scrutiny to fully appreciate it. Resting on each of its four corners is a canon, heavily draped in black. Large black flags drop from each side immediately beneath the cornice, and still lower fall the national colors, which are draped in triangular shape, and heavy gold

lining runs round the pillars. The interior is draped in plain and appropriate bands of rich black goods. At the south of the structure a large platform has been erected, on a level with the catafalque, on which the eminent visitors, the clergy and the singing societies. The catafalque is entered from the east and west by an inclined platform, covered with matting. It is sufficiently wide to allow of the passage of not less than thirty persons abreast. During the forenoon, wreath upon wreath of rare green were attached to the upper part of the structure.

Large wreaths of immortelles are displayed in the shape of lambrequins. On the four corners above the canopy are black ostrich plumes. The dome of the canopy is six feet above the cornice, covered with black cloth, and surrounded by immortelles. On the corners the dome are beautiful black plumes, and the whole is crowned by a large urn wreathed with immortelles.

SUNDAY IN CLEVELAND.
Unparalleled Scenes on the Streets of the City Yesterday.

A dispatch from Cleveland dated last night says:
The scenes at the public square and upon the streets leading to it to-day have been unparalleled in the history of the country. At an early hour crowds of people began to gather about the gates leading to the park. The finishing touches had been given to the pavilion during the night, and as the morning light fell upon it, it stood a beautiful and impressive creation. A crowd of thousands of Ohio State troops paced unceasingly. The Knights Templar guarded the casket throughout the night. The vigil was shared by members of the Cleveland militia. The hour of 9 o'clock this morning was fixed for the opening of the gates and allowing the people to pass through. Long before that time the throng from the western entrance on Superior street, where the people were to enter had grown to immense proportions. Citizens from every portion of the city came, hoping by the early visit to avoid the crowd which would accumulate later in the day. The trains which had begun to arrive at various roads contained thousands of soldiers. By 9 o'clock a line formed of persons standing four abreast, extended down Superior street nearly a quarter of a mile. Precisely at 9 o'clock the gates were opened, and the people were permitted to enter in double columns. The scenes at the catafalque in the early part of the day were very touching. Women and men, many of whom had known the President, wept to emotion, their tears and sobs were constant. Soon, however, word came that the line was growing rapidly longer and that from the appearance of the number to visit the remains would be very large, and that those passing should be hastened as much as possible. Men were posted accordingly at either side of the coffin, with instructions to permit no one to stop, but to keep the column constantly in motion. The line was now formed of men and women, and persons abreast instead of two, and a detachment of soldiers was thrown out along the line to preserve order and hasten the movements of the people. By these means the movements of the people, accompanied the remains, as did the members of the family and seeing that the carriages were started without delay. Dr. Power, pastor of the Christian Church of Washington, accompanied the remains, as did a delegation from Ohio. The time occupied in starting the procession was nearly an hour. The Congressional train arrived about fifteen minutes after the funeral train, and the joint committee of the House and Senate were promptly furnished with carriages and driven with the procession to the public square.

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The Gates Open All Night.
At 11 p. m. the crowd continued so great that it was decided to leave the gates open all night, so that the casket will be on view continuously until 10 a. m. to-morrow.

Elegant Imported
souvenirs will be presented to every lady visitor to our establishment at our formal reception on Saturday, October 1. A. S. & Co., strictly one-price clothing, 316 and 318 Seventh street.

Petition for Divorce.
To-day Mary V. Waters filed her bill for a divorce from John W. Waters. The parties were married in this city in 1865, and have had three children. The bill charges that in June, 1875, the defendant deserted the petitioner, and that she has since contributed anything to the support of the petitioner or her children, and that she has been compelled to provide for herself and children by her own labor. She asks for the custody of her children and the annulment of the marriage.

"Alderney Dairy Wagons."
Fresh Alderney butter, churned every morning, and delivered in "A-Ward" prints, at 40c. per lb. Also, cottage cheese, 5c. per ball; buttermilk, 5c. per quart, and sweet milk, 5c. per quart.

Feminine Spite.
A Louisville lady is anxious to learn, "why is it that a man entering, alone, a church of empty pews, and seeing his friend in the pew in front of him instead of laying it on his side, the front pew being liable to be filled as any other." She thinks it may be for the same reason that, as has always been noticed, when an animal comes out of a saloon wiping his mouth, he goes one way and looks another.

National Hotel Arrivals.
S. D. Herrman, Nebraska; W. W. Culver, St. Louis; W. M. Barber, Boston; G. J. Garrett, Columbus, Ga.; C. T. Claggett, Md.; R. E. Brandt, Md.; A. Schenker, Ga.; O. Scotten, Detroit; M. J. Doyle, Ill.; J. R. Davis, Richmond; M. Ten Eyck, N. Y.; C. Carrera, N. Y.; James R. Porter, Mass.; George Hill, N. Y.; J. W. Foster, Va.; A. Lowery, Phila.; W. P. Stokes, Phila.

DRAFTS ON LONDON, DUBLIN AND PARIS, at H. D. Cooke, Jr., & Co., 1429 F st.

A Southern journal says that in public conveyances in the South women are treated with greater politeness than they receive in Alexandria, then a part of the District of

WHERE CAN GITEAU BE TRIED?

A Complete Synopsis of All the Laws Bearing on the Case.

Through the courtesy of Judge Joseph H. Robinson, the Assistant Solicitor of the Treasury, and one of the ablest and most careful lawyers under the Government, the Critic is favored to give the synopsis of all the laws, common and statute, bearing upon the much-mooted question as to the locality where the assassin of President Garfield can be legally tried. It is the complete and most comprehensive document yet published on the question, and covers it entirely.

The sixth amendment to the Constitution of the United States provides that an accused person shall be tried in the State and district wherein the crime shall have been committed, which district shall have previously been ascertained by law.

The question, then, in Giteau's case, is, where was the crime of murder committed? The fatal wound having been given in the District of Columbia, and the death therefrom having taken place in New Jersey.

At common law, murder, like other offenses, must be inquired of in the county in which it was committed.

But it was a matter of doubt whether at common law, when a man died in one county of a wound received in another, the offense could be considered as having been completely committed in either county.

There are high authorities of opinion that at common law a trial might always be had in the county where the mortal blow was given, for that alone is the act of the party, and the death is but the consequence, in support of which is cited, at least, U. S. 261; 1st Halsb. P. C. 439; 2d Wheat. Crim. Law, 1052, note h; yet Lord Hale afterwards says: "On the other hand, as to some respects, the law regards the death as the consummation of the crime and not merely the stroke."

To remove this doubt the statute of 2d and 3d Edward VI., ch. 24, section 2, enacted that when a man died in one county of a wound received in another the trial should be in the county where the death happened.

This statute was afterwards repealed by the 12th sec. of George IV., ch. 64, which provided that when any felony shall be begun in one county and completed in another it may be inquired of, tried and punished in either of the counties.

This is the law of England at this time. In several of the States of the United States similar statutes have been enacted.

In Massachusetts, for example, it is enacted that if a mortal wound is given on the high seas or on land, either within or without the limits of that State, by reason whereof death ensues in any county thereof, the offense may be prosecuted in any county where the death happened. (Gen. Stat. 171, sec. 19.)

In the case of Commonwealth vs. Macdonald and others, it was held under the statute that a citizen of another State could be convicted of the manslaughter of a person who died within the commonwealth of injuries inflicted on the high seas. (101 Mass. 1.)

In Michigan, under a similar statute, a case arose where the fatal wound was given in Canada, and the death occurred in Michigan. The defendant being indicted for murder in Michigan, the Court held that the crime, though committed in Canada, was consummated in Michigan, and that the defendant could be tried in that State. (Turner vs. State, 28 Mich. 684.)

In New Jersey a statute is in force modeled after the English statute of George IV., before cited.

In the case of Hunter vs. The State, recently tried and determined under this statute in New Jersey, it was held that when a mortal blow was given within the jurisdiction of the State and the death occurred in another State the Court of New Jersey have cognizance of the crime by force of the statute. (40 N. J. 54.)

In Missouri it was held that when the mortal wound was given in one county and death occurred in another the indictment must so state. (Turner vs. State, 28 Mich. 684.)

The case of Riley vs. The State, arising in Tennessee in 1849, was tried under a statute which provided that in all criminal cases the trial shall be held in the county in which the offense may have been committed. It appeared that the crime was given in one county and the death occurred in another. The statute using the word "offense," the question what constituted the offense was discussed.

Under this statute the Court held that the offense was committed where the blow was given.

In Iowa a statute provides that when a criminal act has been committed in one county and consummated in another, the offender may be tried in either county.

In Nash vs. The State, 2 Iowa, it was held that when a mortal blow was inflicted in Scott County, from which the death took place in Muscatine County, the latter court had jurisdiction.

Coming now to legislation on this question by the United States it appears that by the 3d section of the act of April 30, 1790, Congress provided that every person who commits murder within any fort, arsenal, dockyard, magazine, or in any place of deposit of arms or munitions of war, or in any place of country under the exclusive jurisdiction of the United States, shall, on conviction, suffer death, and by the 8th section, if any person shall commit on the high seas, or in any river, harbor, or navigable water, or in any place of deposit of arms or munitions of war, or in any place of country under the exclusive jurisdiction of the United States, murder, such offender shall suffer death, and the trial shall be in the district where the offense is apprehended or where he may be brought.

Under the eighth section of this statute it was held in McGill's case that both the mortal stroke must be given and the death happen on the high seas to give the courts of the United States jurisdiction, and that when the wound was given in the harbor of St. Francis, but the death did not happen until the deceased was removed to the land, the offense was not cognizable under the statute. (U. S. vs. McGill, 4 Dallas, 42.)

The same rule was laid down in the case of U. S. vs. Armstrong, 2 Curtis C. C. 446.

This defect in the statute was afterwards remedied as to murder by the fourth section of the act of March 3, 1825, which provided that if any person shall give a wound on the high seas, or in any river, harbor, or navigable water, or in any place of deposit of arms or munitions of war, or in any place of country under the exclusive jurisdiction of the United States, shall have jurisdiction of the offense, and afterwards as to manslaughter by the act of 1857, ch. 116, sec. 1. The statute, however, it will be observed, relates only to wounds given on the waters described in the act.

The question where a wound is given on land in one district and the death occurs in another is not touched.

But in 1809, there being no statute law in this regard, a case arose in which it was held by the District Court of this District that if the mortal stroke was given in Alexandria, then a part of the District of

Columbia, and the death happened in Maryland, the court of the District has no jurisdiction of the offense.

It was a *per se* decision, the court simply saying its opinion was that, as the death happened in St. Mary's County, Md., although the fatal stroke was given in the District, the judgment must be for the prisoner, relying on Heydon's case, 4 Coke, 41; Home vs. Ogde, 4 Coke, 43; 2 Inst., 318; 3 Inst., 45, 49, 73.

This is the only decision on this point made by a court of the United States, not being overruled, it is authority in the present case. It may not be conclusive, however, for, by the 30th section of the act of March 2, 1807, Congress has provided that, when any offense shall be begun in one judicial district and completed in another, every such offense shall be deemed to have been committed in either, and may be dealt with, tried, determined, and punished in either, in the same manner as if it had been actually and wholly committed therein.

It is no doubt but that the District of Columbia and New Jersey constitute judicial districts ascertained by law as provided in the Constitution of the United States.

The present case was, therefore, clearly provided for under this act. But the law was codified in sec. 731, Revised Statutes, as it originally passed.

The codifiers, for some reason which does not appear, changed somewhat the phraseology of the act referred to. They use the words "judicial circuit" instead of "judicial district," so that the section as codified, reads: "When any offense is begun in one judicial circuit and completed in another, it shall be deemed to have been committed in either, and be tried, determined, and punished in either, in the same manner as if it had been actually and wholly committed therein."

This change throws doubt upon the point whether the Supreme Court of this District under this section would have jurisdiction of the offense in question, because the District of Columbia is not a judicial circuit.

But this doubt may be somewhat lessened when it is observed that sec. 731, Revised Statutes, provides that such offense may be "dealt with, inquired of, tried, determined, and punished in either district." To make the section consistent it would seem that the words circuit and district should be construed as meaning the same thing. Should there be doubt as to the correct interpretation the Court would refer to the original act, 15 Court of Claims, 57.

By section 530, Rev. Stat., et seq., the United States are divided into judicial circuits, some of the districts being composed of two or more counties.

In Massachusetts, for example, it is enacted that if a mortal wound is given on the high seas or on land, either within or without the limits of that State, by reason whereof death ensues in any county thereof, the offense may be prosecuted in any county where the death happened. (Gen. Stat. 171, sec. 19.)

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Notable Sayings of Notable Men.

"I am just too sweet to live."—Billy Rice.

"Darling, I am growing old."—Billy Copeland.

"Somebody is lying; I hope it isn't I."—Dr. D. W. Bliss.

"I am in a perpetual state of Missouri."—E. W. Ayres.

"Men usually go to grass after their hey-day."—Ned Hay.

"I love to breathe the air of freedom."—Judge Nelson.

"Just keep in the middle of the road."—W. K. Stillson.

"I am always at my office by the crack of day."—P. R. Stillson.

"Wait for the wagon and we'll all go to Henry's."—Charles Haight.

"I thought I heard an angel sing—but I was mistaken."—Jim Young.

"I wear my hair long because it is becoming to my features."—W. H. Brown.

"And I say that section 731 does not apply to Giteau's case."—Jas. N. Oliver.

"Give me a whole-souled, big-hearted, generous man as a friend."—Nestor Shaw.

"Yes, I know something; but I will give out nothing more to reporters."—E. C. Ingersoll.

"Why don't you put the opinions of eminent lawyers in The Critic?"—E. A. Newell.

"Oh! isn't that shameful, Mr. Police-man, pray protect me."—Many ladies in the press at the depot.

"Be careful of flatterers. The men who pay compliments often never pay anything else."—Charles Wroe.

"I'm looking on the happy autumn fields and thinking of the days that are no more."—Sebastian Amant.

"The quantity of blood in the human body at any given moment is from thirty to forty pints."—Dr. Walter.

"A fellow who yelled in jokes."—Plays many a trick on his fokes.

"This decision will be a precedent."—R. A. Perkins.

"But all that he said was a joke."—R. A. Perkins.

"There was a cadet named Clitot."—The ladies thought him a great bot.

"When ordered out West."—Fear entered his breast.

"And he said he would rather not get."—Gen. Howard.

Injustice and Tyranny.

To the Editor of The Evening Critic:

The part taken by you on behalf of the employees of the Government Printing Office against the despotic decisions of John D. Deffees, entitled you to the thanks of every lover of justice. The conduct of Deffees is simply gratuitous oppression. The force at the Government Printing office is borne on the rolls precisely as it is at the Treasury or Interior Departments, and as the pay to the clerks and employees of the Treasury and Interior goes on regularly, without deduction for holidays, so should that to printers and binders at the U. S. Printing office. Deffees, it is understood, considers these men as laborers, payable only when at work.

Let us look at this and present an illustration. Brown is in the Land Office shoving a pen. White is at the printing office setting type. Brown has been writing up the report of the Commissioner of the General Land Office, which White has been setting up. A holiday comes. Then, according to Deffees' ideas, the man who writes is the one who puts the manuscript into print is the one who is to be paid for the holiday. Brown is to be paid for the holiday, while White is to be paid for the holiday. Deffees' idea is, that the man who writes is the one who puts the manuscript into print is the one who is to be paid for the holiday. Brown is to be paid for the holiday, while White is to be paid for the holiday.

John D. Deffees.

To the Editor of The Evening Critic:

If Mr. Deffees has no authority to pay his employees for holidays and time lost by closing the office on public occasions, is he not liable to prosecution for the return of money so paid before he became so constituted? During this term he has paid for all holidays and for all days when the office was closed except for lack of work. Another query: Why should the employees of the Government Printing Office, the Bureau of Engraving and Printing, and the Navy-yard be treated differently from Department clerks in the matter of lost time?

Western Aquatics.

A boat race lately rowed by two crews of girls is described in the Cincinnati Enquirer. "Now and then a fair rower caught a crab—that is, in other than boating English, she didn't get the blade of her oar out of the water promptly at the conclusion of the stroke; then the handle and oar back to the water, her head tilted, her stomach, and she tumbled backward of her seat, while her light heels twinkled blithely above the gunwale of the boat."

The Kansas plains are bright with sunflowers, and people speak of Kansas as the sunflower State.

A Frenchman has discovered that the pulse of the revolution is to be found in the practical application by a gunmaker at St. Etienne in the eighteenth century.

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